REMARKS

Reconsideration of the rejections is respectfully requested.

Claims 1-60 and 74-79 were previously canceled. Claims 61-73 were rejected in the Office Action. Claims 62, 63 and 73 are currently amended. Claims 80-90 are currently added. No claims are currently canceled. The amendments and new claims are fully supported by the original disclosure, and no new matter is added. Claims 61-73 remain pending in the application.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

In the Office Action, claims 73 and 62-63 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,959,207 to Keinonen (hereinafter "Keinonen") in view of U.S. Patent 6,320,947 to Tyroler et al (hereinafter "Tyroler") and further in view of U.S. Pat. App. Pub. No. US2006/0211411 to Haaramo et al (hereinafter "Haaramo"). Claim 61 was rejected as being unpatentable over Keinonen in view of Tyroler and Haaramo and further in view U.S. Patent 4,975,694 to McLaughlin et al. (hereinafter "McLaughlin"). Claims 64-71 were rejected as being unpatentable over Keinonen in view of Tyroler and Haaramo and further in view of U.S. Patent 6,753,842 to Williams et al. (hereinafter "Williams"). Claim 72 was rejected as being unpatentable over Keinonen in view of Tyroler, Haaramo and McLaughlin and further in view of Williams.

In the OA, the combination of Keinonen and Tyroler was cited for teaching or suggesting the recitations of claim 73. Applicants thank the Examiner for further explaining his reading of Tyroler as teaching that a single contact may be assigned to each of the three separate priority level lists, such that the LED light associated is associated only with that particular list. While Applicants respectfully maintain that the combination of Tyroler, Keinonen and Haaramo fails to teach or suggest the features of claim 73, Applicants have nonetheless amended claim 73 (without prejudice) in the interests of furthering prosecution. The amendments to claim 73 are supported at least in Figure 1 (showing the device with keys

that can be assigned to contacts); Figure 2 (operational flow including providing light functions to indicate status of messages received from contacts stored in a contact list – step 211), Figure 4 (operational flow of message mode including determining which messages were sent by contacts listed in the contact list – step 420), Figure 5 (operational flow including selection of a contact of the contact list through activation of the associated key); Figure 8 (showing virtual keys that can be assigned to contacts); page 8, lines 25-26 to page 9, lines 1-19; and page 20, lines 19-26 to page 21, lines 1-3.

As amended, claim 73 now recites, in part, ". . . a processor unit coupled to the transceiver and touch-screen display, wherein the processor unit is configured to

cause a light unit to light a first virtual key selected from a plurality of virtual keys of the touch-screen display to indicate receipt of a message from a first contact of a contact list stored on the mobile electronic communications device, the first contact being the only contact to be associated with said first virtual key, wherein the lighted first virtual key manifests an appearance of being illuminated,

cause a light unit to light a second virtual key selected from a plurality of virtual keys of the touch-screen display to indicate receipt of a message from a second contact of **said** contact list, the second contact being the only contact to be associated with said second virtual key, wherein the lighted second virtual key manifests an appearance of being illuminated, and

cause the touch-screen display to display information associated with one or more messages received from the first contact in response to the selection, by a user, of the first virtual key, and to display information associated with one or more messages received from the second contact in response to the selection, by the user, of the second virtual key..

Therefore, claim 73 now recites a mobile electronic communication device that is configured to alert a user to the receipt of messages from contacts belonging to a contact list stored on the device, and in a manner that identifies the sender of each message. The mobile

electronic communication device is also configured to display information associated with a message received from the first contact or the second contact of the contact list when the user selects the virtual key associated with the first or the second contact, respectively. Viewed properly as a whole, claim 73 teaches a novel device that allows the user to identify at a glance that a message has been sent from a particular contact and to display information associated with one or more messages received from that contact simply by selecting the single virtual key associated with the contact.

In contrast, Tyroler teaches a device that is configured to indicate that the user's ISP has received an e-mail message for the user, displaying the priority level of the received message based on the category of the sender. Senders are categorized by priority into lists, and the user is merely alerted that a message from a high, medium or low priority sender has been received (i.e. activation of the high, medium or low priority light).

The Examiner reads Tyroler as disclosing that a single contact may be assigned to each of three priority lists (see col. 5, lines 8-26). Under this reading of Tyroler, the only way to assign each of the lights to a single contact is for each of the contacts to be *the only contact on that list* (i.e. one contact on the high priority list, a second on the medium priority list, and a third on the low priority list). In other words, each contact is on a separate priority list, as explicitly described in the passage cited in the OA:

> A slightly more complex configuration is shown in FIG. 4. For this configuration, it is assumed either that a particular message has been encoded with a priority identification, or that the microprocessor has other means of determining the priority of messages. For instance, a message may be identified as having a high, medium or low priority. Alternatively, the customer may provide **a high priority list** stored in memory 14C **containing certain addresses of possible senders** who are very important to the customer, **a second list of senders of somewhat lower priority** and a **third list of senders with very lower priority**. Any messages from an address not on the list may be considered of low priority. The microprocessor 12 checks the address from which each message is received and when appropriate, activates

either the LED 18A for high priority, 18B for medium priority, or 18C for low priority. . . . (col. 5, lines 8-26)

In contrast, claim 73 as amended requires that the first contact (the **only** contact to be associated with the first virtual key) and that the second contact (the **only** contact to be associated with the second virtual key) are contacts **of the same contact list**. Therefore, Tyroler **teaches away** from the recitations of amended claim 73 because Tyroler's method does not permit two contacts of the same priority list to be assigned to different lights.

Additionally, Tyroler does not teach that a processor unit is "configured to cause a light unit to light a first virtual key selected from a plurality of virtual keys of the touch-screen display . . . ." because Tyroler does not teach virtual keys. Tyroler merely teaches LED light units. These are neither "keys" nor "virtual keys," they are not selected from a plurality of virtual keys of the touch-screen display, and they cannot be selected by the user in order to perform additional functions such as displaying messages, as required by claim 73. Apart from illumination, the lights of the device possess no functionality. For at least these reasons, Tyroler cannot teach or even suggest the recitations of claim 73.

Keinonen cannot remedy the deficiencies of Tyroler. Keinonen teaches an emotional notification system in which a first communication partner assigns a data object on his/her device to a second communication partner, and activation of the data object the first communication partner's device causes a "notification message" such as a vibrational alert to manifest on the second communication partner's device.

On page 4 of the OA, it is suggested that the LED lights of Tyroler can be emulated on the touch-screen display of Keinonen as virtual light sources, and that this combination teaches "cause a light unit to light a first virtual key selected from a plurality of virtual keys . . . to indicate receipt of a message from a first contact," etc. But Applicants respectfully note that a mere emulation of a LED light source on a touch screen does not teach a virtual key as recited in claim 73 (e.g. a mere emulation cannot be selected by the user in order to perform

additional functions such as displaying messages). Neither Tyroler nor Keinonen, alone or in combination, teaches such a feature.

On page 5 of the OA, the Examiner concedes that Keinonen and Tyroler do not disclose causing the touch-screen display to display information associated with one or more messages received from the first contact in response to the selection, by a user, of the first virtual key, and to display information associated with one or more messages received from the second contact in response to the selection, by the user, of the second virtual key. Instead, Haaramo is cited for teaching listening to a message associated with one or more messages received from the first and second source in response to a selection by a user of the first and second virtual keys..

But Haaramo cannot remedy the deficiencies of Keinonen and Tyroler. Haaramo is directed to a method and apparatus for creating groups of terminals and allowing a user within that group to send a **voice** message to the other group members in a single transmission, thus reducing the cost of group communications (see e.g. paragraphs [0008]-[0009]). A button of the user's mobile device may be associated **with a particular group** and may be illuminated to alert the user of a message received from **another member of that group** (paragraph [0032]). The user may press the button to **listen** to the message (paragraph [0062]).

Like Tyroler, Haaramo **teaches away** from the recitations of claim 1 because Haaramo's method cannot be used to associate two contacts of a contact list stored on the mobile device to two different virtual keys. Even if every "group" included only the user and a single contact, the contacts would not be contacts of a single contact list, nor would the contact list be stored on the mobile device. The only disclosure in Haaramo of any sort of contact list is the disclosure of information relating to an individual group, and this is stored in a service control point connected to a MSC and/or in a server or messaging service center, *not* on the mobile device (Fig. 1, Fig. 2, paragraphs [0029]-[0030]). Furthermore, the

passages cited refer to voice messages – they do not teach or even suggest causing a touch-screen display to **display** information associated with one or more messages received from the first or second contact in response to the selection, by the user, of the first or second virtual key.

Therefore, Haaramo cannot teach or suggest the recitations of amended claim 1, alone or in combination with Tyroler and Keinonen.

Finally, a person having ordinary skill in the art would have no motivation to modify the message priority system of Tyroler to achieve the recitations of claim 73. The purpose of Tyroler is to indicate receipt of a high, medium, or low priority message without requiring the user to access his/her internet account through a computer or similar devices. Keinonen is directed to alerting a user that a communication partner has activated a data object associated with that user. Haaramo is directed to group-based voice messaging. Incorporating Tyroler's e-mail priority notification lights and Haaramo's group messaging into the mobile emotional notification system of Keinonen cannot produce the recitations of claim 73. Thus, Applicants respectfully submit that claim 73 is patentable over Keinonen in view of Tyroler and Haaramo.

Claims 61-72 depend from claim 73, incorporating its recitations. Thus, for at least the same reasons, claims 61-72 are also patentable over Keinonen in view of Tyroler.

NEW CLAIMS

Applicants take this opportunity to add new claims 80-90. Independent claim 80 recites subject matter that is substantially similar to that of claim 73, and is therefore patentable over the cited combination for at least the same reasons. In addition, claim 80 recites a first, a second, a third and a fourth virtual key, which are associated with a first, a second, a third and a fourth contact (respectively) of a contact list stored on the device.

Claim 80 recites in part:

a processor unit coupled to the transceiver and touch-screen display, wherein the processor unit is configured to

cause a light unit to light one of at least four virtual keys of the touch-screen display to indicate receipt of messages from one of at least four contacts of a contact list, the contact list being stored on the mobile electronic communications device and each of the at least four contacts being associated with one of the at least four virtual keys of the touch-screen display, a first of said at least four contacts being the only contact associated with a first virtual key, a second of said at least four contacts being the only contact associated with a second virtual key, a third of said at least four contacts being the only contact associated with a third virtual key and a fourth of said at least four contacts being the only contact associated with a fourth virtual key, and wherein the lighted virtual keys manifest an appearance of being illuminated; and

cause the touch-screen display to display information associated with a message from the first of said at least four contacts in response to the selection, by a user, of the first virtual key, display information associated with a message from the second of said at least four contacts in response to the selection, by a user, of the second virtual key, display information associated with a message from the third of said at least four contacts in response to the selection, by a user, of the third virtual key, and display information associated with a message from the fourth of said at least four contacts in response to the selection, by a user, of the fourth virtual key.

Applicants note that the Examiner's reading of Tyroler allows a maximum of three contacts to be associated with individual LED lights (i.e. by having only three contacts and assigning only one of the contacts to each of the three priority lists).

Therefore, the cited combination of Tyroler, Keinonen and Haaramo cannot teach the recitations of independent claim 80 for at least this additional reason.

Claims 81-90 depend from claim 80, incorporating its recitations, and are thus patentable over the cited combination for at least the same reasons.

Applicants respectfully request reconsideration and allowance of the pending claims.

CONCLUSION

In view of the foregoing, reconsideration and allowance of all pending claims is respectfully solicited. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1513. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,
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